

REMARKS

In response to the Notice of Non-Compliance, the claims section has been amended to include the text of the withdrawn claims as requested. Entry of this Amendment is therefore requested.

Applicants have removed any reference to Q₁₀ from the claims in this application and therefore request that the Examiner reconsider and reinstate the application filed in Switzerland on September 7, 1999, as the priority application. Applicants reserve the right to file divisional applications for any deleted subject matter. If a substitute specification is required, please advise and Applicants will submit one.

Claims 14-19 (formerly 1-6) stand rejected under 35 U.S.C. §102(a) as being anticipated by Muhlebach et al., published on September 23, 1999. Applicants amendment of the claims in the present application obviate this rejection, since Muhlebach et al. was published after the priority date of the present application.

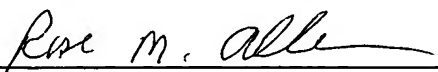
Claims 14-19 also stand rejected under 35 U.S.C. §103(a) as being unpatentable over Muhlebach et al. Applicants amendment of the claims in the present application obviate this rejection, since Muhlebach et al. was published after the priority date of the present application.

Claims 14-19 similarly stand rejected under 35 U.S.C. §103(a) as being unpatentable over Fischer et al. Fischer et al. describes compounds similar to those of the present invention. However, the claimed compounds have only one specific structural element which is the phenyl ring substituted by R₁, R₃ and CH₃. These compounds are neither anticipated nor suggested by the cited reference. There would be no motivation for one skilled in the art to select this species of compounds from the cited reference.

The Examiner is respectfully requested to withdrawn the rejections of claim 14-19 and issue a Notice of Allowability.

Respectfully submitted,

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